ഇതിനേപ്പറ്റി ഒരു പ്രമേയം കഴഞ്ഞ കൌൺസിലിൽചാസ്സായിട്ടുള്ള വിഷയം ഗവർമ്മെണ്ടിന്റെ ആലോചനയിൽ ഇരിക്കുന്നതുമാകുന്നു.

C. C. 126/01 of the Trichur Magistrate's Court.

217. Mr. N. Padmanabha Menon.—Will the Government be pleased to state the result of C. C. 126/01 in the Trichur Magistrate's Court?

Mr. V. B. Vaidyanatha Ayyar—The accused were acquitted.

218. Mr. N. Padmanabha Menon.—Will the Government be pleased to state whether the Commissioner of Excise has sent in a report to the Government, while the case was *sub judice*, that the charge of breaking open the table of the licensee involved in the case is true; if so, will the Government be pleased to place on the table the papers connected with it?

Mr. V. B. Vaidyanatha Ayyar.—Yes. The papers are treated as confidential, and cannot, therefore, be placed on the table.

219. Mr. N. Padmanabha Menon.—Will the Government be pleased to state whether the Excise Inspector requested the Government for the services of the Sirkar Vakil to conduct that case; if so, was that request complied with; if not, why not?

Mr. V. B. Vaidyanatha Ayyar.—The Excise Inspector requested the Excise Superintendent for the services of the Sirkar Vakil to conduct the case. The request was not complied with, as the offence alleged to have been committed by the A class licensee was simple enough, and as such, the prosecution could be conducted by the Inspector himself, as was usually done in such cases.

220. Mr. N. Padmanabha Menon.—Will the Government be pleased to state whether Mr. K. R. Ramaswami Ayyar and another Mr. Ramaswami Naidu, aminadars both, were transferred to Trichur during the pendency of this case; if so, why?

Mr. V. B. Vaidyanatha Ayyar.—K. R. Ramaswami Ayyar was first transferred as aminadar to Cranganur on 27th Vrischigam 1101, and subsequently, on 1st Makaram 1101, he was transferred to the Enamavu Range.

Ramaswami Naidu was suspended from 6th Chingam 1101 till 13th Makaram 1101, and was working in the Trichur Range even before the suspension. He was, therefore, not transferred to Trichur, when he was reinstated. The transfer of the former was made in the interests of the department.

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Mr. N. Padmanabha Menon.—Will the Government be pleased to state whether they are aware that, on the date that this case came up for hearing, this Ramaswami Ayyar and Ramaswami Naidu were present in the Magistrate's Court and influencing the witnesses?

President.—That is a serious charge.

Mr. N. Padmanabha Menon.—Yes. That is a serious charge, and I can substantiate that.

President.—You are responsible for this statement.

Mr. N. Padmanabha Menon.—I am responsible for the statement that I make.

Mr. V. B. Vaidyanatha Ayyar.—So far as I remember, I can say now that I have no information. I do not remember having received any information that Ramaswami Ayyar was present, and was giving instructions to any witness. But I remember to have received a report from the Inspector that Ramaswami Naidu was present on one of the hearings, and *was* giving instructions to some of the witnesses.

President.—Influencing the witnesses?

Mr. V. B. Vaidyanatha Ayyar.—Something like that. I must refer to the file.

President.—I suppose you can say, even supposing they were present, they would never have influenced the witnesses.

Mr. V. B. Vaidyanatha Ayyar.—I remember having received a report that some instructions were being given to the witnesses as to how they should depose.

President.—That is objectionable. Have they interviewed the witnesses and told them that such and such things have taken place, that they ought not to say such and such things, they must say such and such things, and that then only the prosecution case would be successful. This is what is called "influencing the witnesses".

Mr. V. B. Vaidyanatha Ayyar.—I can't say without referring to the record. With regard to Ramaswami Naidu, there is record. He was doing something with the witnesses.

Mr. N. Padmanabha Menon.—May I know whether this Ramaswami Naidu was empowered by the Government to give instructions in the case?

Mr. V. B. Vaidyanatha Ayyar.—Certainly not, Sir.

Mr. N. Padmanabha Menon.—After receiving the Inspector's report, has the Government enquired into the charge?

President.—Has the Inspector, after all, ever reported?

Mr. N. Padmanabha Menon.—It is necessary to know that.

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Mr. V. B. Vaidyanatha Ayyar.—I mean the Inspector gave a report to the Magistrate. Then, the Magistrate made a sort of enquiry, and sent a report to me. Not the contrary.

Mr. N. Padmanabha Menon.—That makes matters worse.

Mr. V. B. Vaidyanatha Ayyar.—That is the fact. I have not made any independent enquiry apart from the enquiry made by the Magistrate.

President.—Has this matter of influencing witnesses by Ramaswami Naidu ever come to your notice? If so, what action have you taken?

Mr. V. B. Vaidyanatha Ayyar.—It was brought to my notice, as I said; I am not sure whether it was influencing or whether it was any other thing. I can't say what the nature of the charge is before referring to the records. Something very bad. Concerning Naidu, the matter was brought to my notice by the Trichur Magistrate, at the instance of the Trichur Inspector, and the result of the enquiry made by the Magistrate was communicated to me. From the last letter sent to me by the Magistrate, no further action was necessary.

President.—You did not find it necessary to conduct any investigation, and so you have not done it.

Mr. N. Padmanabha Menon.—Am I to understand that, in spite of the fact that Ramaswami Naidu was under suspension a few days before for serious misconduct, when another charge was levelled against him, the department thought that no enquiry was necessary?

President.—That is argument. If you want information, the Superintendent will furnish it.

Mr. V. B. Vaidyanatha Ayyar.—The Magistrate found, on enquiry, that the charge was not well-founded.

221. Mr. N. Padmanabha Menon.—Will the Government be pleased to state whether this K. R. Ramaswami Ayyar was not the previous camp clerk of the Excise Commissioner and this Ramaswami Naidu, a person then under suspension for serious misconduct?

Mr. V. B. Vaidyanatha Ayyar.—Ramaswami Ayyar was the camp clerk of the Excise Superintendent till 27th Vrischigam 1101.

With regard to Ramaswami Naidu, vide answer to question 220.

222. Mr. N. Padmanabha Menon.—Will the Government be pleased to state the grounds, if any, for withholding the increment of the Trichur Salt Inspector?

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